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EXAMINER	
KAZEMINEZHAD, FARZAD	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/581,434	SATO, YASUSHI	
	Examiner	Art Unit	
	FARZAD KAZEMINEZHAD	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) *1-6,21,22,25,26 and 29-31* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/21/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In response to the office action from 7/1/2009, the applicant has submitted an amendment, filed 9/30/2009, amending claims 7, 11, 14-15, 17-18, 23-24, 27-28, and 32, cancelling claims 1-6, 21-22, 25-26, and 29-31, while arguing to traverse the art rejection. Applicant's arguments have been fully considered, however the previous rejection is maintained due to the reasons listed below in the response to the arguments.

2. In response to amendment to ¶ 0084 of the specification, the examiner has withdrawn the previous objection directed towards minor informalities.

3. In response to cancellation of the claims 29-30, the examiner has withdrawn the previous 35 U.S.C. 101 rejection of the said claims.

4. Despite the amendment to claim 11, the examiner has maintained the previous 35 U.S.C. 112 second rejection of the said claim, because the examiner could not determine any correlation between "a status" which is transitioned in the first phrase to "a predetermined process item" in the second phrase.

Response to Arguments

5. On pages 9-10 of the remarks the applicant has simply copied Figs. 1 and 11 of

the disclosure as well as claim 7 with emphasis (by underlining) on parts of the claim which the applicant believes the previous art rejection has failed to teach.

On page 11, the applicant has provided arguments mainly regarding the said underlined parts of claim 7 in ¶'s 2 and 3 and in ¶ 4 has concluded that "based upon the failure of the references ..., claims cannot be considered obvious".

The heart of applicant's arguments appear to center on the references (Sekiguchi (US 7,143,045) and Takagi et al. (US Patent 6,980,956)) not teaching or suggesting limitation 5 and 6's "likelihood" functionality. In particular in the second ¶, the applicant contends: " likelihood is a term of art in the field of statistics. Likelihood is a value that represents likeliness. In general, when likelihood is integrated, the integrated value is not 1. Thus the concept of likelihood differs from that of probability".

First the examiner respectfully points out that claim 7 broadly recites "likelihood (score)" and did not present it as a likelihood function that the applicant is arguing about, and "similarity" is a qualitative measure of a likelihood, by being a relevant score. Moreover the specification does not define these terms more narrowly.

Second, in each limitation the claim limitation and its parts (e.g., likelihood as they appeared) were treated according to the broadest reasonable interpretation. In limitation 5, the "likelihood (score)" in the first set of claims was used for matching one item and another (consistent with ¶'s 0012, 0022, 0023, 0029 (6^{th} ¶), 0033 (5^{th} ¶), 0038 of the specification) , and the "likelihood" in limitation 6 (consistent with ¶ 0029 (7^{th} ¶) and ¶ 0033 (6^{th} ¶) is associated with a weighting factor in determining a transition probability. The "likelihood (score)" in the 5^{th} limitation does not require a statistical

calculation as it appears to be directed at judging if two patterns are matched under the broadest reasonable interpretation granted to examiners (MPEP 904.01) and a single number could be utilized to make that decision and utilizing the similarity calculations of Col. 14 (in particular the equation in line 38) in Sekiguchi was judged appropriate because that matching function also computes a "numerical value" as also mentioned in the REMARKS on page 11 second ¶ line 1 last word which maps "likelihood (score)" to a "numerical value", and thereby that limitation was mapped to those teachings. Indeed Col. 14 lines 21-24 teach specifically the said equation is used to "match" an input data with a characteristic data and when those are matched it inherently implies strong correlation and likelihood. However for the 6th limitation, the "likelihood" is associated with a "weighting factor" in determining how likely or probable a transition will occur and this time Tagaki's et al.'s weight factor was used as the limitation involves something statistical in nature and you can see that Sekiguchi which is silent on statistical means was not used as the office action on page 12 last ¶ and page 13 1st ¶ indicate. Tagaki et al.'s weighting factor is used and the examiner cannot understand the basis of the allegation that: "Tagaki patent lacks any definition of the use of such a likelihood consideration" (3rd ¶ last line) as it fails to show how and why the respective teachings fail. In the new office action though as "likelihood" is no longer presented with the "score", some new embodiments of Sekiguchi are utilized to show how "likelihood" of the 5th limitation is mapped to it.

Regarding the distinction between "likelihood" and "probability", they both could be determined using methods of statistics and they both could refer to the same

abstract entities. Therefore the statement "the concept of likelihood differs from that of probability" requires explaining of how and why they differ based either on the applicant's disclosure and showing inconsistency between the disclosure and the reference's probability, or something well known in the art, or at least the applicant should have demonstrated how the "probability" of the reference could not map to the "likelihood" of the limitation six by for instance showing how it taught away either from the claim teachings or from the other reference used in the 35 U.S.C. 103 (a) rejection. Otherwise under the broadest reasonable interpretations consistent with specification (MPEP 904.01), examiner does not find these arguments persuasive and regards the said mapping a valid one and the rejection using the same reference for those limitations stand.

As the applicant has not provided any other arguments regarding any other claims and in particular their own allowable subject matters, and merely alleging them to be patentable "based upon the failure of the references being relied upon by the examiner to teach or suggest all the elements of the claims" (4th ¶ page 11), without pointing out any other items of any other claims for which the references have "failed" and are therefore moot and the rejection of other claims also stand.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The second and the third phrases in the claim limitation are not connected; i.e., the "a status" which is "transitioned" from the first phrase is not linked to "a predetermined process item" in the second phrase. Therefore the examiner could not interpret that claim's limitation to examine it.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 7-10, 12-20, 23-24, 27-28, 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiguchi, and further in view of Takagi et al. (US Patent 6,980,956).

Regarding claim 7, Sekiguchi does teach a device control device (Abstract, Col. 1 lines 11-15 teach a data processing in a sensor used in a robot for providing instructions to a robot, or as disclosed in Col. 1 lines 49-53 electric home appliances such as an air conditioner) comprising:

input information recognition means which recognizes input information

to be input (Col. 3 lines 59-61 and Col. 23 lines 9-10 referring to unit 41 in Fig. 2 teach a unit for input processing of an input word indicating an operation of the said apparatus (e.g. robot));

process-item data storing means which stores a plurality of process items for executing processes corresponding to recognized information recognized by the input information recognition means (2) (Col. 3 lines 20-25 teach a database in which words corresponding to instructing operations of the apparatus (i.e. words associated with a plurality of process items for executing operations (processes)) are stored; each word is processed (recognized) by natural language information; Col. 7 lines 53-55 referring to Fig. 2 teach these words are stored in the database unit 42); and

transition-definition data storing means which stores plural pieces of transition definition data defining transition from one process item in the plurality of process items to another process item (Col. 3 lines 35-37 teach a behavior pattern is associated with each word stored in the database unit 42 in Fig. 2 where each behavior pattern defines a certain state of the apparatus and thereby triggering it will result in a transition of the state of the apparatus; Col. 7 lines 63-66 teach the behavior database unit 45 in Fig. 2 stores the behavior data (i.e. transition-definition data)),

wherein

each piece of said transition definition data includes a condition corresponding to input information (Col. 9 lines 37-46 teach a behavior selector unit 44 in Fig. 2 which can select a behavior pattern corresponding to a certain state or condition of the apparatus which can best match (correspond to) an input word which does not have any

stored data corresponding to it),

said recognized information includes a likelihood indicating a status of matching between said input information and the condition of said transition definition data (Col. 13 lines 43-51 teach a characteristic comparison classification unit 3 (Fig. 1) residing in a sensor (part of the apparatus (e.g. robot)) are utilized to compare input data corresponding to recognized information to the input (unit 1) with words (corresponding to actions) registered in database; Col. 14 lines 13-21 teach the comparison is made by using a formula which enables to judge if two values are matched based on their “distance” which is numerical value; Col. 14 lines 40-41 teach the formula enables judging if two values are matched the smaller that “distance” is and thereby that "distance” is inversely correlated with their likelihood of matching; Col. 14 lines 46-49 teach that formula is specifically utilized in matching input data (information) and characteristic data (which is correlated with behavior data (transition-definition data)),

a piece of transition definition data is selected based on said discrimination result, and a status is transitioned to a process item designated by the selected transition definition data (Col. 7 lines 56-62 and Col. 23 lines 19-23 teach a behavior execution unit 46 in Fig. 2 which executes (thereby discriminates) the behavior pattern corresponding to a recognized word associated with the behavior resulting in a transition of state of the device (e.g. robot));

Sekiguchi does not teach a weighting factor corresponding to a condition associated with the input information and

a weighing factor is associated with a likelihood corresponding to the condition of

a transition definition data to obtain a result of discrimination for the condition of each transition definition data;

Takagi et al. does teach a weighting factor corresponding to a condition associated with the input information (Col. 2 lines 6-10 teach that for a device (robot) “behavior” control, for each action which can alter the state (condition) of the device a weight factor is assigned; the weight factor is determined by computation of a transition probability);

and a weighing factor is associated with a likelihood (score) corresponding to the condition of a transition definition data to obtain a result of discrimination for the condition of each transition definition data (Col. 13 lines 32-37 teach the transition probability or weight factor is associated with a stimulus; the stimulus does cause transition of state or behavior of the device as each behavior is associated with a stimulus according to Col. 2 lines 42-46; Col. 7 lines 25-27, and lines 35-37 and lines 52-54 and lines 61-63 as well as Col. 14 lines 44-50 and Col. 16 lines 12-17 and lines 36-41 all teach formulas enabling calculation of the transition probability (weight factor) and thereby assigning a value (score) to it; these all result in assigning a score to the weight factor which corresponds to a stimulus (which can cause a transition and is therefore associated with a transition definition) causing alteration of the way a voice command is executed);

It would have therefore been obvious to someone with ordinary skill in the art at the time the invention was made that utilizing the transition probability modules and methods of Takagi et al. into the device operation apparatus of Sekiguchi by

incorporating Tagaki et al.'s modules MO2 and MO4 in Fig. 4 of and their respective methods into the behavior selector unit 44 of Fig. 2 of Sekiguchi would enable the latter to associate weight factors to each state (behavior or process item) that the device is commanded to transform where the weight factor represents parameters of the stimulus such as the loudness of the voice of the user commanding the device which will alter the response of the device.

Regarding claim 8, Sekiguchi does teach the device control device according to claim 7, wherein when a jump is made from a predetermined process item to a process item or transition definition data which is not defined by transition defining data, transition definition data corresponding to the process item or transition definition data jumped from said predetermined process item is generated (Col. 9 lines 37-48 teach if a word data Wd (associated with a behavior or state of the device (e.g. robot)) is not recognized (it is not defined and nor stored in behavior data base 45 in Fig. 2), the behavior selector unit 44 utilizes a combination of behavior patterns that are already stored in unit 45 and instructs the behavior execution unit 46 to execute it (i.e. to jump into the state corresponding to the behavior combination); Col. 10 lines 21-27 teach that if the final state which the device (e.g robot) has "jumped" is judged "OK", then the word data Wd is stored in the behavior database).

Regarding claim 9, Sekiguchi does not specifically disclose the device control device according to claim 7,

wherein a transition constant which is a calculation standard for said weighting factor is set as a constant corresponding to said transition definition data, and

a weighting factor of transition definition data relating to another process item linked to one process item whose status is transitioned is calculated by accumulating said constants from the constant for transition definition data relating to one process item to the constant for transition definition data relating to the another process item.

Tagaki et al. does teach transition constants each of which is a calculation standard for calculating said weighting factor and set as a constant corresponding to said transition definition data (Col. 7 lines 24-28 and Col. 14 lines 34-50 teach constants L, L1 and L2 which depend on predetermined stimuli on the device enable computation and updating of transition probability (weight factor) corresponding to state transformation of the device) , and

a weighting factor of transition definition data relating to another process item linked to one process item whose status is transitioned is calculated by accumulating said constants from the constant for transition definition data relating to one process item to the constant for transition definition data relating to the another process item (Col. 5 lines 51-67 and Col. 6 lines 1-3 referring to the modules MO2 and MO4 in Fig. 5 teach the transition probability (weight factor) of making transition from one state (process item) to another state (process item) is updated by raising or lowering it by a predetermined (constant) amount of for example 10% which in one example in Col. 7 lines 24-29 it is assigned the value L which according to Col. 13 lines 32-37 is correlated to the way a stimulus by a user such as tone of his voice is inputted; Col. 7

lines 25-27 teach a formula which shows that the transition probability corresponding to a certain behavior (state or process item) is obtained by adding (and thereby accumulating over many transitions) the contribution of the transition probability of the previous state (corresponding to the previous process item or behavior) and the updated state which includes the predetermined constant L);

It would have therefore been obvious to someone with ordinary skill in the art at the time the invention was made that utilizing the transition probability modules and methods of Takagi et al. into the device operation apparatus of Sekiguchi by incorporating Tagaki et al.'s modules MO2 and MO4 in Fig. 4 of and their respective methods into the behavior selector unit 44 of Fig. 2 of Sekiguchi would enable the latter to associate weight factors to each state (behavior or process item) that the device is commanded to transform where the weight factor represents parameters of the stimulus such as the loudness of the voice of the user commanding the device which will alter the response of the device.

Regarding claim 10, Sekiguchi does not teach the device control device according to claim 9, wherein said transition constant changes, provided that transition definition data relating to said transition constant is selected.

Takagi et al. does teach the transition constant changes, provided that transition definition data relating to said transition constant is selected (Col. 7 lines 60-65 teach a formula which shows that the transition probability and thereby the transition constant which is attributed to the percentage of amount of change that the transition probability

undergoes, changes as a function of the number of behaviors that the device is required to transfer to acquire the behavior consistent with the transition definition data).

It would have therefore been obvious to someone with ordinary skill in the art at the time the invention was made that utilizing the transition probability modules and methods of Takagi et al. into the device operation apparatus of Sekiguchi by incorporating Tagaki et al.'s modules MO2 and MO4 in Fig. 4 of and their respective methods into the behavior selector unit 44 of Fig. 2 of Sekiguchi would enable the latter to estimate a weight factors attributed in transforming to a certain behavior pattern (consistent with a certain transition definition data) for the device which will aid the user in better management of the device.

Regarding claim 12, Sekiguchi does teach the device control device according to claim 7, wherein said input information is a speech signal (Col. 7 lines 49-51 teach that the input process unit 41 in Fig. 2 is capable of receiving "word spoken by a man" (i.e. speech), and Col. 9 lines 18-20 teach the unit to possess speech recognition function)

and

the condition of said transition definition data is a word subject to speech recognition (Col. 9 lines 14-17 teach there exists an association between each spoken word W and a word data Wd which is stored in the behavior database unit 45 and which is associated with a behavior (causing or defining a transition of state of the device (e.g. robot)); i.e., the stored word data Wd defines a condition or state of the device; Col. 9 lines 32-36 teach if there exists a match (speech recognition is successful) between

word data (input) and one of the stored behavior data (transition definition data) then the behavior pattern is executed).

Regarding claim 13, Sekiguchi does teach the device control device according to claim 7, wherein a plurality of conditions are set for said transition definition data (Col. 9 lines 63-67 and Col. 10 lines 1-3 teach a user creating (setting) criteria (conditions) for each behavior (corresponding to a state of the device (e.g. robot) which can thereby trigger a state transition upon execution) and storing them in the criteria database unit 51 in Fig. 3).

Regarding claim 14, Sekiguchi does teach a device control device that has process-item data storing means which stores a plurality of process items for executing processes corresponding to recognized information obtained by recognizing input information (Col. 3 lines 20-25 teach a database in which words corresponding to instructing operations of the apparatus (i.e. words associated with a plurality of process items for executing operations (processes)) are stored; each word is processed (recognized) by natural language information; Col. 7 lines 53-55 referring to Fig. 2 teach these words are stored in the database unit 42);

defines transition from one process item in the plurality of process items to another process item by transition definition data (Col. 3 lines 35-37 teach a behavior pattern is associated with each word stored in the database unit 42 in Fig. 2 where each behavior pattern defines a certain state of the apparatus and thereby triggering it will

result in a transition of the state of the apparatus; Col. 7 lines 63-66 teach the behavior database unit 45 in Fig. 2 stores the behavior data (i.e. transition-definition data)), and

generates a flowchart of process items by adding or deleting said transition definition data in accordance with a link to a necessary process item (Col. 15 lines 18-23 teach the flowchart of Fig. 10B corresponds to registration (addition) of words associated (linked) with data groups (transition definition data) by the word provision unit 48 in Figs. 2 and 3, because each word is associated with data corresponding to a behavior which can cause transition of state associated with a device).

Regarding claim 15, Sekiguchi does teach the device control device according to claim 14, wherein said process-item data storing means is constituted in such a manner that a process item can be added adequately (Col. 22 lines 40-51 referring to the flow chart in Fig. 24 demonstrates that the process of utilizing the word provision unit 48 (Fig. 2 and 3) and thereby adding a word which defines a state (transition definition data) follows the judgment unit 47 assessing whether or not the input data (corresponding to the transition definition data) abides by the criteria (conditions) set forth in the model and therefore adequate measures are taken before adding the word corresponding to the data to the word provision unit 48).

Regarding claim 16, Sekiguchi does teach the device control device according to claim 14, wherein each piece of said transition definition data has a condition corresponding to input information (Col. 9 lines 37-46 teach a behavior selector unit 44

in Fig. 2 which can select a behavior pattern corresponding to a certain state or condition of the apparatus which can best match (correspond to) an input word which does not have any stored data corresponding to it).

Regarding claim 17, Sekiguchi does teach the device control device according to claim 16, wherein said recognized information has a likelihood indicating a status of matching between input information and the condition of said transition definition data ((Col. 13 lines 43-51 teach a characteristic comparison classification unit 3 (Fig. 1) residing in a sensor (part of the apparatus (e.g. robot)) are utilized to compare input data corresponding to recognized information to the input (unit 1) with words (corresponding to actions) registered in database; Col. 14 lines 13-21 teach the comparison is made by using a formula which enables to judge if two values are matched based on their “distance” which is numerical value; Col. 14 lines 40-41 teach the formula enables judging if two values are matched the smaller that “distance” is and thereby that "distance” is inversely correlated with their likelihood of matching; Col. 14 lines 46-49 teach that formula is specifically utilized in matching input data (information) and characteristic data (which is correlated with behavior data (transition-definition data)),

and said likelihood corresponding to the condition of said transition definition data is set for said transition definition data (Col. 14 lines 19-22 teach utilizing the numerical distance (inversely correlated to the likelihood of matching) value to determine if the input word matches with a word (corresponding to an action) in the database by

comparing the numerical (score) with a threshold; Col. 15 lines 1-2 teach if the data are matched, they are registered (set) and for the example of comparing an input with data groups (corresponding to transitions) as disclosed in Col. 14 lines 46-49, therefore the input is registered (set) with the data group (transition data)).

Regarding claim 18, Sekiguchi does teach the device control device according to claim 16, wherein said input information is a speech signal (corresponds to the first limitation of claim 12),

the condition of said transition definition data is a target word subject to speech recognition (corresponds to the 2nd limitation of claim 12) ,

said recognized information includes a likelihood indicating a status of matching between the speech signal and the target word of said transition definition data (corresponds to the first limitation of claim 17) ,

said likelihood corresponding to the target word of said transition definition data is set in said transition definition data (corresponds to the second limitation of claim 17), and

a piece of said transition definition data is selected in accordance with said likelihood (score), and a state is transitioned to a process item represented by said selected piece of transition definition data (it corresponds to the last limitation of the claim 7).

Regarding claim 19, Sekiguchi does teach the device control device according to claim 14, wherein said transition definition data includes

a condition corresponding to input information (Col. 9 lines 37-46 teach a behavior selector unit 44 in Fig. 2 which can select a behavior pattern corresponding to a certain state or condition of the apparatus which can best match (correspond to) an input word which does not have any stored data corresponding to it),

Sekiguchi does not teach a weighting factor corresponding to said condition.

Takagi et al. does teach a weighting factor corresponding to said condition (Col. 2 lines 6-10 teach that for a device (robot) "behavior" control, for each action which can alter the state (condition) of the device a weight factor is assigned; the weight factor is determined by computation of a transition probability),

For motivation to combine see claim 7.

Regarding claim 20, depending on claim 19, the claim limitations are identical to the limitations of the claim 9, and are therefore rejected under similar rationale.

Regarding claims 23 and 24, the claims' limitations are identical to the limitations of the claims 7 and 14 respectively and are therefore rejected under similar rationale. The speech recognition device is incorporated to the unit 41 (input process unit) of Sekiguchi.

Regarding claim 27 the claim limitations are identical to the limitations of the claim 7 and are therefore rejected under similar rationale. The functions of an agent device are inherently performed by the modules (in both Sekiguchi (Figs. 2 and 3) and Takagi et al.(Fig. 4)) used for the claim 7.

Regarding claim 28 the claim limitations are identical to the limitations of the claim 14 and are therefore rejected under similar rationale. The functions of an agent device are inherently performed by the modules (in both Sekiguchi (Figs. 2 and 3) and Takagi et al.(Fig. 4)) used for the claim 14.

Regarding claim 32-33, the claims correspond to the method limitations of the systems of claims 7 and 14 respectively and are therefore rejected by the same rationale. Sekiguchi and Takagi et al. both teach systems and their respective methods.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hammler et al. (US 2007/0073543).

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZAD KAZEMINEZHAD whose telephone number is (571)270-5860. The examiner can normally be reached on M-F 8:30AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis I. Smits can be reached on (571)272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FK/

/Talivaldis Ivars Smits/ 12/28/2009
Primary Examiner, Art Unit 2626